

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, postal address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

“Optical Modules Employing Glass-Sealed Fiber Feedthru with C-Seal”

the specification of which is attached hereto unless the following information is indicated:

_____ was filed on _____,
as United States Application Number or PCT International Application Number _____;
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified, as so indicated below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Application No.)

(Country)

(Day/Month/Year Filed)

___ Yes ___ No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

(Application No.)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. 1.56 that became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)

(Day/Month/Year Filed)

(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

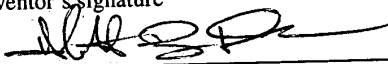
PETER C. SU, REG. NO. 43,939

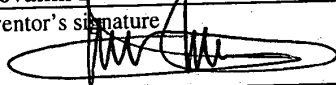
Send Correspondence and Communications to:

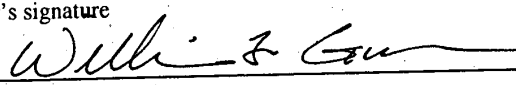
LAW OFFICES OF PETER C. SU
PATENT ATTORNEY
PO BOX 878
MENLO PARK, CA 94026-0878

Tel: (650) 280-9300
Fax: (650) 325-0553
Email: psu@sullp.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and beliefs are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Herbert B. Dela Rosa	
Inventor's signature 	Date 10-1-03
Residence: 40919 Encyclopedia Circle, Fremont, CA 94538	
Citizenship: United States of America	
Postal Address: Same as Residence	

Full name of sole or first inventor: Giovanni Barbarossa	
Inventor's signature 	Date 10/1/03
Residence: 12430 Curry Court, Saratoga, CA 95070	
Citizenship: Italy	
Postal Address: Same as Residence	

Full name of sole or first inventor: William Z. Guan	
Inventor's signature 	Date 10/1/05
Residence: 1892 Flagstone Drive, Union City, CA 94587	
Citizenship: People's Republic of China	
Postal Address: Same as Residence	

Full name of sole or first inventor:	
Weidong Zhu	
Inventor's signature	Date
Residence:	
4117 Stevenson Boulevard, #240, Fremont, CA	
Citizenship:	
People's Republic of China	
Postal Address:	
Same as Residence	

Full name of sole or first inventor:	
Khanh T. Ly	
Inventor's signature	Date
	10/3/03
Residence:	
3014 Calle De Las Flores, San Jose, CA 95148	
Citizenship:	
United States of America	
Postal Address:	
Same as Residence	

Full name of sole or first inventor:	
Ching-Lin Chang	
Inventor's signature	Date
Residence:	
765 Anacapa Court, Milpitas, CA 95035	
Citizenship:	
United States of America	
Postal Address:	
Same as Residence	

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, postal address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**“Optical Modules Employing Glass-Scaled
Fiber Feedthru with C-Seal”**

the specification of which is attached hereto unless the following information is indicated:

_____ was filed on _____;
as United States Application Number or PCT International Application Number _____;
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified, as so indicated below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Application No.)

(Country)

(Day/Month/Year Filed)

____ Yes ____ No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

(Application No.)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. 1.56 that became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)

(Day/Month/Year Filed)

(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

PETER C. SU, REG. NO. 43,939

Send Correspondence and Communications to:

LAW OFFICES OF PETER C. SU
PATENT ATTORNEY
PO BOX 878
MENLO PARK, CA 94026-0878

Tel: (650) 280-9300
Fax: (650) 325-0553
Email: psu@sullp.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and beliefs are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Herbert B. Dela Rosa	
Inventor's signature	Date
Residence: 40919 Encyclopedia Circle, Fremont, CA 94538	
Citizenship: United States of America	
Postal Address: Same as Residence	

Full name of sole or first inventor: Giovanni Barbarossa	
Inventor's signature	Date
Residence: 12430 Curry Court, Saratoga, CA 95070	
Citizenship: Italy	
Postal Address: Same as Residence	

Full name of sole or first inventor: William Z. Guan	
Inventor's signature	Date
Residence: 1892 Flagstone Drive, Union City, CA 94587	
Citizenship: People's Republic of China	
Postal Address: Same as Residence	

Full name of sole or first inventor: Weidong Zhu	
Inventor's signature	Date
Residence: 4117 Stevenson Boulevard, #240, Fremont, CA	
Citizenship: People's Republic of China	
Postal Address: Same as Residence	

Full name of sole or first inventor: Khanh T. Ly	
Inventor's signature	Date
Residence: 3014 Calle De Las Flores, San Jose, CA 95148	
Citizenship: United States of America	
Postal Address: Same as Residence	

Full name of sole or first inventor: Ching-Lin Chang	
Inventor's signature <i>Ching-Lin Chang</i>	Date 9/30/2003
Residence: 765 Anacapa Court, Milpitas, CA 95035	
Citizenship: United States of America	
Postal Address: Same as Residence	

ASSIGNMENT

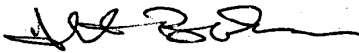
Whereas, We, **Herbert B. Dela Rosa, Giovanni Barbarossa, William Z. Guan, Weidong Zhu, Khanh T. Ly, and Ching-Lin Chang** having agreed to assign the below identified invention to **AVANEX CORPORATION ("AVANEX")**, a **Delaware** corporation having its principal place of business at **40919 Encyclopedia Circle, Fremont, CA 94538** for good and valuable consideration, receipt of which is hereby acknowledged, I do hereby sell, assign, and transfer unto **AVANEX**, its successors and assigns, the entire right, title, and interest, including the right of priority in, to and under an application for Letters Patents of the United States entitled:

**"Optical Modules Employing Glass-Sealed
Fiber Feedthru with C-Seal"**

 X filed herewith and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; or

Serial No.: _____, filed on _____ and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

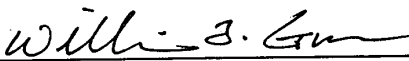
And for the above consideration, we agree promptly upon request of **AVANEX**, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional, or reissue, or other papers which may be necessary or desirable fully to secure to **AVANEX**, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent.

Inventor's Signature:  Date: 10-1-03

Herbert B. Dela Rosa

Inventor's Signature:  Date: 10/1/03

Giovanni Barbarossa

Inventor's Signature:  Date: 10/1/03

William Z. Guan

Inventor's Signature: _____ Date: _____

Weidong Zhu

Inventor's Signature:  Date: 10/3/03

Khanh T. Ly

Inventor's Signature: _____ Date: _____

Ching-Lin Chang

ASSIGNMENT

Whereas, We, **Herbert B. Dela Rosa, Giovanni Barbarossa, William Z. Guan, Weidong Zhu, Khanh T. Ly, and Ching-Lin Chang** having agreed to assign the below identified invention to **AVANEX CORPORATION ("AVANEX")**, a Delaware corporation having its principal place of business at **40919 Encyclopedia Circle, Fremont, CA 94538** for good and valuable consideration, receipt of which is hereby acknowledged, I do hereby sell, assign, and transfer unto **AVANEX**, its successors and assigns, the entire right, title, and interest, including the right of priority in, to and under an application for Letters Patents of the United States entitled:

**"Optical Modules Employing Glass-Scaled
Fiber Feedthru with C-Seal"**

X filed herewith and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; or

Serial No.: _____, filed on _____ and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of **AVANEX**, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional, or reissue, or other papers which may be necessary or desirable fully to secure to **AVANEX**, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent.

Inventor's Signature: _____ Date: _____
Herbert B. Dela Rosa

Inventor's Signature: _____ Date: _____
Giovanni Barbarossa

Inventor's Signature: _____ Date: _____
William Z. Guan

Inventor's Signature: _____ Date: _____
Weidong Zhu

Inventor's Signature: _____ Date: _____
Khanh T. Ly

Inventor's Signature: Ching-Lin Chang Date: 9/30/2003
Ching-Lin Chang